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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,372	12/15/2003	Michael Frantzen	81044411 (202-1427)	1826
22844	7590	01/09/2006	EXAMINER	
FORD GLOBAL TECHNOLOGIES, LLC. SUITE 600 - PARKLANE TOWERS EAST ONE PARKLANE BLVD. DEARBORN, MI 48126			BROWN, DREW J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/735,372	Applicant(s) FRANTZEN ET AL.	
	Examiner Drew J. Brown	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/15/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites that the bearing element is rotatable with about an essentially vertical axis. The phrase "with about" renders the claim indefinite because it is unclear to the examiner what the bearing element is rotatable with.
4. Claim 6 recites the limitation "the same plane" in line 2. There is insufficient antecedent basis for this limitation in the claim. In addition, it is unclear to the examiner exactly what the same plane as the steering axis is. This limitation renders the claim indefinite.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, and 5-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Müller (U.S. Pat. No. 3,831,970).

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With respect to claim 1, Müller discloses a bearing element (element outside of beams 2 inside wheels 1) supporting a wheel, a beam (2) on which the bearing element is mounted such that the bearing element is rotatable with about an essentially vertical axis, a suspension leg (15) connected to the beam and supported on the bodywork, a link (3) coupled to the bodywork and connected to the beam, and a stabilizer (8) coupled to the beam via arm (7).

With respect to claim 2, the stabilizer is coupled to the beam by an elastic bearing (10).

With respect to claim 5, the suspension leg is arranged in a position which is tilted with respect to the vertical (Figure 2).

With respect to claim 6, the suspension leg lies in the same plane as the steering axis (Figure 1).

With respect to claim 7, the link is attached to the bodywork by at least one hinged joint (A₁).

With respect to claim 8, the bearing element comprises a steering swivel (Figures 1 and 2).

With respect to claim 9, the bearing element comprises a spindle (Figures 1 and 2).

With respect to claim 10, the suspension leg comprises a damper strut (column 4, lines 65-67 and column 5, lines 1-6).

7. Claims 1, 5-8, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hespelt et al. (DE 44 09 571 A1).

With respect to claim 1, Hespelt et al. discloses a bearing element (5) supporting a wheel, a beam (18) on which the bearing element is mounted such that the bearing element is rotatable

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with about an essentially vertical axis, a suspension leg (combination of numerals 1, 2, and 3) connected to the beam and supported on the bodywork, a link (6) coupled to the bodywork and connected to the beam via bearing element (5), and a stabilizer (9) coupled to the beam.

With respect to claim 5, the suspension leg is arranged in a position which is tilted with respect to the vertical (Figure 2).

With respect to claim 6, the suspension leg lies in the same plane as the steering axis (Figure 2).

With respect to claim 7, the link is attached to the bodywork by at least one hinged joint (joint where link 6 is attached to bodywork 10 in Figure 1).

With respect to claim 8, the bearing element comprises a steering swivel (Figures 1 and 2).

With respect to claim 10, the suspension leg comprises a damper strut (3).

With respect to claim 11, the suspension leg comprises a helical coil (1).

8. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Murakami et al. (U.S. Pat. No. 4,883,287).

With respect to claim 1, Murakami et al. discloses a bearing element (element outside of shaft 20) supporting a wheel, a beam (12) on which the bearing element is mounted such that the bearing element is rotatable with about an essentially vertical axis, a suspension leg (32) connected to the beam and supported on the bodywork, a link (28) coupled to the bodywork and connected to the beam, and a stabilizer (70) coupled to the suspension leg.

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With respect to claim 2, the stabilizer is coupled to the suspension leg by an elastic bearing (78a and 78b in Figure 4).

With respect to claim 3, the stabilizer is coupled to the suspension leg by ball and socket joint (72' in Figure 6).

With respect to claim 4, the link is attached to the beam by ball and socket joint (26 in Figure 1).

With respect to claim 5, the suspension leg is arranged in a position which is tilted with respect to the vertical (Figure 1).

With respect to claim 6, the suspension leg lies in the same plane as the steering axis (Figure 1).

With respect to claim 7, the link is attached to the bodywork by at least one hinged joint (30).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Annequin et al., Ziech, Carleer, Stinson, Bombinger et al., Frantzen, Gradu, Ignatius et al., Kincad et al., and Muller disclose similar suspension systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 7 a.m. to 4 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J Brown
Examiner
Art Unit 3616

DJB



DAVID R. DUNN
PRIMARY EXAMINER